AL-14-001-4780

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Congress of the United States

House of Representatives

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CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

CO-CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

DEAN, NEW JERSEY DELEGATION

September 8, 2014

Administrator Gina McCarthy
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Administrator McCarthy:

Following the Environmental Protection Agency's April announcement that it is considering approval of a herbicide containing 2,4-dichlorophenoxyacetic acid (2,4-D) for use on genetically modified (GM) corn and soybean crops, I have heard from a number of my constituents who have expressed serious concerns regarding this proposal.

Of primary interest to my constituents in their correspondence with me is the standard used to determine the human health risk associated with the proposed approval. They contend that the Food Quality Protection Act's (FQPA) provisions require the EPA to use a more stringent safety standard for this decision, and that the information EPA has used to determine the current safety margin is outdated and inadequate. They believe that additional and more recent data would have shown greater risks for infants and children, therefore triggering the ten-fold safety standard.

While I understand the concerns of farmers in need of new tools to address weeds that are resistant to existing pesticides, as the chairman of the subcommittee that oversees global health and co-chair of numerous health caucuses in the House, I believe that we must ensure strict scrutiny of pesticide use and the impact on public health. Accordingly, I am hopeful that you will take into account the concerns raised in this letter and am requesting a written response so I can respond appropriately to my constituents.

I appreciate your time and attention to this matter and look forward to your response. If I can be of further assistance to you during this process, please feel free to reach out to me directly or to my Legislative Director, Cate Benedetti, at (202) 225-3765.

Sincerely,

CHRISTPHER H SMITH
Member of Congress

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 3 1 2014

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

The Honorable Christopher H. Smith
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your September 8, 2014, letter expressing your concerns about the U.S. Environmental Protection Agency's decision to register the Enlist Duo herbicide and the U.S. Department of Agriculture's decision to deregulate new varieties of genetically engineered crops designed to withstand exposure to Enlist Duo's two active ingredients: glyphosate and 2,4-D. We share your commitment to protect human health, especially children, and the environment and appreciate the opportunity to respond to the issues you raise concerning the EPA's human health and environmental risk assessments for the use of Enlist Duo on herbicide-tolerant corn and soybean crops. The EPA took all of your concerns into consideration prior to making the final decision to register the Enlist Duo product.

Over the last ten years, the EPA has reviewed 2,4-D in depth and thus has a very robust and extensive database that addresses both toxicity and exposure. The strength of the currently available data led to our scientific determination regarding the additional tenfold safety factor required under the Food Quality Protection Act Amendments of 1996. The FQPA provides that, in judging the safety of pesticide residues in food, an additional FQPA safety factor must be applied to take into account potential pre- and post-natal toxicity and completeness of the data with respect to exposure and toxicity to infants and children. This additional tenfold safety factor would be added to the baseline 100-fold uncertainty factor already applied to account for potential differences in sensitivity and variability among humans and the potential for differences in sensitivity between experimental animals and humans. The FQPA allows the Administrator of the EPA to use a different margin of safety for the pesticide chemical residue only if, on the basis of reliable data, such margin will be safe for infants and children.

When the EPA conducted its 2005 dietary assessment for 2,4-D, the additional FQPA safety factor was retained because the database for 2,4-D was incomplete. Missing reproduction and developmental neurotoxicity studies resulted in uncertainties in the risk assessment for children. However, the recently submitted Extended One-Generation Reproductive Toxicity Study fulfilled these data gaps. This study provides state-of-the-science information regarding toxicity to infants, children, developing fetuses and pregnant women. The study protocol received international review by an Organization of Economic Cooperation and Development expert panel and was found to be robust and well conducted. EPA scientists have determined that the availability of this study resolves the uncertainty identified in the 2005 assessment. Furthermore, the agency's assessment of risk accounts for potential susceptibility observed in other toxicity studies by regulating at doses significantly lower than those that might potentially lead to toxicity in infants and children, thus removing another uncertainty in the assessment.

Finally, agency scientists determined that the exposure assessment is very protective – using screening-level exposure assumptions to ensure that risks to developing young will not be underestimated. After considering the fact that the FQPA safety factor was initially applied because of incomplete toxicity data

that have been addressed with the EOGRTS, and consistent with our science-based approach for assessing all pesticides under the FQPA, the agency has concluded that there is reliable information to show that infants and children will be protected without application of an additional FQPA safety factor. That being said, the agency calculated the risk with the inclusion of a safety factor of 10 and the calculated risk was still below the EPA's level of concern.

In addition to assessing the risks to children from exposure through their food and drinking water, the EPA completed two major types of assessments as part of its proposal – volatility and spray drift – to assure the safety of children (as well as adults) who live near treated agricultural fields. The EPA's proposed registration decision pertains only to Dow's low-volatility pesticide formulation that uses choline salt of 2,4-D. Additionally, the proposed label states that the pesticide may not be applied from aircraft and may be applied only under favorable wind conditions. In addition, a 30-foot, within-field, buffer zone was set to protect endangered plants but should also serve to further protect bystanders and other non-target plants.

In its volatility assessment, the EPA considered volatilization of 2,4-D from treated fields and determined if buffers are needed to assure no risk concern. Using the most conservative portal of entry endpoint for inhalation risk, there were no risk concerns at the field edge for either adults or children; therefore, no additional buffer was required.

In the spray drift assessment, the EPA assessed the potential risk to children playing on lawns adjacent to a treated field if 2,4-D drifted onto the lawn. The agency found no risk concerns. It should also be noted that 2,4-D can be applied to home lawns and that these applications have higher application rates than agricultural applications to corn and soybeans. Even at the higher rates, the EPA determined there are no risk concerns for children playing on the lawn immediately after an application.

I hope this serves to reassure you that the EPA's decision is based on sound science. If at any time, solid, peer-reviewed research finds that Enlist Duo presents unexpected risks, the agency will move quickly to take the appropriate regulatory actions, which could include removing Enlist Duo from the market.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Mr. Sven-Erik Kaiser in the EPA's Office of Congressional and Intergovernmental Relations at kaiser.sven-erik@epa.gov or (202) 566-2753.

Sincerely,

James J. Jones
Assistant Administrator

AL-14-001-4183

DENNY HECK
10TH DISTRICT, WASHINGTON

FINANCIAL SERVICES COMMITTEE

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER CREDIT

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

SUBCOMMITTEE ON MONETARY POLICY AND TRADE

Congress of the United States
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August 6, 2014

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Pennsylvania Avenue SW
Washington DC 20250

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Secretary Vilsack and Administrator McCarthy:

I write to you regarding your agencies' proposed decisions to register the Enlist Duo herbicide as well as deregulate new varieties of genetically engineered (GE) crops engineered to withstand exposure to the active ingredients glyphosate and 2,4-D.

My office has received numerous letters and emails from constituents who are concerned about the health and environmental impacts should these approvals be granted. I request that your agencies provide the public, and my constituents, with a clear, scientific, and straightforward response to the following frequently highlighted issues of concern:

- The degree to which EPA analyzed the product and to what extent the agency applied appropriate safety standards, particularly as it relates to child health under the Food Quality Protection Act;
- The anticipated increase of drift, and the likely impacts to neighboring crops, wild plants, waterways and wildlife, should these approvals be granted;
- Reported adverse health effects associated with 2,4-D, including cancer (especially non-Hodgkin's lymphoma), decreased sperm count, liver disease and Parkinson's disease; and
- Whether approval of 2,4-D will lead to a dramatic increase in overall pesticide use.

With over 400,000 public comments received, I believe it is critical that these products are thoroughly reviewed and any agency determination is clearly communicated to the public.

Sincerely,

Denny Heck

Denny Heck
Member of Congress

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 3 1 2014

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

The Honorable Denny Heck
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Heck:

Thank you for your letter of August 6, 2014, expressing your concerns about the U.S. Environmental Protection Agency's decision to register the Enlist Duo herbicide and the U.S. Department of Agriculture's decision to deregulate new varieties of genetically engineered crops designed to withstand exposure to Enlist Duo's two active ingredients: glyphosate and 2,4-D. We share your commitment to protect human health, especially children, and the environment and appreciate the opportunity to respond to the issues you raise concerning the EPA's human health and environmental risk assessments for the use of Enlist Duo on herbicide-tolerant corn and soybean crops. The EPA took all of your concerns into consideration prior to making the final decision to register the Enlist Duo product.

Over the last ten years, the EPA has reviewed 2,4-D in depth and thus has a very robust and extensive database that addresses both toxicity and exposure. The strength of the currently available data led to our scientific determination regarding the additional tenfold safety factor required under the Food Quality Protection Act Amendments of 1996. The FQPA provides that, in judging the safety of pesticide residues in food, an additional FQPA safety factor must be applied to take into account potential pre- and post-natal toxicity and completeness of the data with respect to exposure and toxicity to infants and children. This additional tenfold safety factor would be added to the baseline 100-fold uncertainty factor already applied to account for potential differences in sensitivity and variability among humans and the potential for differences in sensitivity between experimental animals and humans. The FQPA allows the Administrator of the EPA to use a different margin of safety for the pesticide chemical residue only if, on the basis of reliable data, such margin will be safe for infants and children.

When the EPA conducted its 2005 dietary assessment for 2,4-D, the additional FQPA safety factor was retained because the database for 2,4-D was incomplete. Missing reproduction and developmental neurotoxicity studies resulted in uncertainties in the risk assessment for children. However, the recently submitted Extended One-Generation Reproductive Toxicity Study fulfilled these data gaps. This study provides state-of-the-science information regarding toxicity to infants, children, developing fetuses and pregnant women. The study protocol received international review by an Organization of Economic Cooperation and Development expert panel and was found to be robust and well conducted. EPA scientists have determined that the availability of this study resolves the uncertainty identified in the 2005 assessment. Furthermore, the agency's assessment of risk accounts for potential susceptibility observed in other toxicity studies by regulating at doses significantly lower than those that might potentially lead to toxicity in infants and children, thus removing another uncertainty in the assessment.

Finally, agency scientists determined that the exposure assessment is very protective – using screening-level exposure assumptions to ensure that risks to developing young will not be underestimated. After

considering the fact that the FQPA safety factor was initially applied because of incomplete toxicity data that have been addressed with the EOGRTS, and consistent with our science-based approach for assessing all pesticides under the FQPA, the agency has concluded that there is reliable information to show that infants and children will be protected without application of an additional FQPA safety factor. That being said, the agency calculated the risk with the inclusion of a safety factor of 10 and the calculated risk was still below the EPA's level of concern.

In addition to assessing the risks to children from exposure through their food and drinking water, the EPA completed two major types of assessments as part of its proposal – volatility and spray drift – to assure the safety of children (as well as adults) who live near treated agricultural fields. The EPA's proposed registration decision pertains only to Dow's low-volatility pesticide formulation that uses choline salt of 2,4-D. Additionally, the proposed label states that the pesticide may not be applied from aircraft and may be applied only under favorable wind conditions. In addition, a 30-foot, within-field, buffer zone was set to protect endangered plants but should also serve to further protect bystanders and other non-target plants.

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In the spray drift assessment, the EPA assessed the potential risk to children playing on lawns adjacent to a treated field if 2,4-D drifted onto the lawn. The agency found no risk concerns. It should also be noted that 2,4-D can be applied to home lawns and that these applications have higher application rates than agricultural applications to corn and soybeans. Even at the higher rates, the EPA determined there are no risk concerns for children playing on the lawn immediately after an application.

Regarding the alleged link between 2,4-D and non-Hodgkin's lymphoma, a recent review of epidemiological data by Health Canada's Pesticide Management Regulatory Agency, which registered Enlist Duo in 2013, came to the conclusion that the data do not support a cause and effect relationship between exposure to 2,4-D and non-Hodgkin's lymphoma. This is the same conclusion reached by an earlier review of the issue by the Federal Insecticide, Fungicide and Rodenticide Act Scientific Advisory Panel. The FIFRA SAP is an advisory committee of independent, external scientific experts with whom the EPA consults regarding novel or contentious scientific issues.

With respect to the relationship between 2,4-D and Parkinson's disease, the EPA reviewed the existing studies and relevant literature, including six key studies as well as medical case reports. Based on this review and the lack of statistically significant evidence, EPA scientists determined that data do not support an association between 2,4-D and Parkinson's disease.

The EPA received all of the required studies on endocrine effects and concluded that 2,4-D does not pose a risk of endocrine disruption and that the risk assessments are protective for all potential endocrine effects, including effects on the thyroid.

Since the Enlist Duo product provides an additional tool to reduce the spread of glyphosate-resistant weeds, the EPA acknowledges that the use of 2,4-D would increase. However, the agency has used the lessons learned from experience with Roundup-ready GE crops and has laid out steps to prevent 2,4-D weed resistance. For example, the EPA has required Dow to conduct a robust stewardship program including active monitoring and swift steps to remediate weed resistance. Furthermore, the EPA will be

able to modify the registration quickly and impose additional measures to manage resistance if needed. The label also contains information on resistance management consistent with the Weed Science Society of America's Best Management Practices for comprehensive resistance management approaches.

I hope this serves to reassure you that the EPA's decision is based on sound science. If at any time, solid, peer-reviewed research finds that Enlist Duo presents unexpected risks, the agency will move quickly to take the appropriate regulatory actions, which could include removing Enlist Duo from the market.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Mr. Sven-Erik Kaiser in the EPA's Office of Congressional and Intergovernmental Relations at kaiser.sven-erik@epa.gov or (202) 566-2753.

Sincerely,

James J. Jones
Assistant Administrator

AL-14-001-3418

United States Senate

WASHINGTON, DC 20510

August 7, 2014

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator McCarthy,

We write to convey our concerns as the Environmental Protection Agency (EPA) works to finalize an Accounting Framework for treating biogenic carbon emissions from stationary sources. EPA's rule-making, if not very carefully designed, could easily discourage, even halt development and commercialization of advanced biofuels, biopower, renewable chemicals and other industrial biotechnologies that are vital to our nation's economic, environmental, and national security. For example, EPA's formulation of its Tailoring Rule, which was designed to limit the number of facilities obligated to acquire New Source Review and Title V operating permits based on their greenhouse gas (GHG) emissions, did not distinguish biogenic emissions from those of fossil fuels. That approach was a highly significant departure from the traditional exclusion of biogenic emissions from tallies of GHG emissions. In particular, biogenic emissions have not been included in the EPA's inventories of GHG emissions, nor does the Department of Energy include biogenic emissions in its guidelines for voluntary reporting of GHG emissions.

Treating biogenic carbon emissions in the same way as fossil-fuel-based emissions would have a clear and negative impact on this emerging bioeconomy sector. Several of the nation's leading cellulosic biofuel developers have already indicated that such an approach, if applied to them, would likely derail projects currently in the planning process. In addition, some of the renewable chemicals companies hoping to expand manufacturing in the United States have indicated similar concerns.

Thus, as EPA works to finalize its treatment of biogenic carbon emissions, we urge you to act in a manner that supports the continued development and production of conventional and advanced biofuels, biopower, and bioproducts, as well as the next generation of bioenergy crops, such as annual and perennial grasses, short rotation woody crops, and algae. In particular, EPA's regulation of biogenic carbon emissions needs to recognize that carbon emissions resulting from the utilization of sustainably-sourced, renewable biomass feedstocks do not result in lasting increases in atmospheric carbon dioxide, and therefore should not be subject to greenhouse gas regulations. Not only are these new technologies and crops environmentally beneficial, they also

have the potential to significantly reduce greenhouse gas emissions associated with the utilization of fossil fuels. In addition, these bioenergy technologies and crops offer broad economic development opportunities, including thousands of domestic jobs in rural America.

We appreciate your full consideration of the importance of supporting these emerging bioeconomy opportunities as you finalize your framework.

Sincerely,

Tom Harkin
United States Senator

Tim Johnson
United States Senator

Heidi Heitkamp
United States Senator

Ron Wyden
United States Senator

Maria Cantwell
United States Senator

Al Franken
United States Senator

Patty Murray
United States Senator

Joe Donnelly
United States Senator

Amy Klobuchar
United States Senator

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 3 1 2014

OFFICE OF
AIR AND RADIATION

The Honorable Tom Harkin
United States Senate
Washington, D.C. 20510

Dear Senator Harkin:

Thank you for your letter dated August 7, 2014, to U.S. Environmental Protection Agency Administrator Gina McCarthy, regarding the treatment of biogenic carbon dioxide (CO_2) emissions from stationary sources under Clean Air Act (CAA) permitting programs. The Administrator asked that I respond on her behalf.

As noted in my November 19, 2014, memorandum to the EPA's Regional Air Division Directors (enclosed for your reference), the agency is taking the next steps in its ongoing work to address the issues associated with biogenic carbon dioxide CO_2 emissions from stationary sources as a part of a broad climate strategy.

To continue advancing the agency's technical understanding of the role biomass can play in reducing overall greenhouse gas emissions, the EPA has developed a second draft of the technical report, the *Framework for Assessing Biogenic Carbon Dioxide (CO_2) from Stationary Sources,* for further review. The revised report takes into account the latest information from the scientific community and other stakeholders. The EPA is continuing to refine its accounting work through a second round of targeted peer review with the Science Advisory Board.[1]

The memorandum also describes the EPA's current thinking pertaining to biogenic CO_2 emissions in the context of the Clean Power Plan (CPP) and the Prevention of Significant Deterioration (PSD) program. The agency expects that state reliance on waste-derived feedstocks and agricultural- and forest-derived feedstocks from sustainable practices may be approvable elements of state compliance plans under the CPP. In addition, the EPA plans to propose revisions to the PSD regulations to include an exemption from application of the Best Available Control Technology (BACT) requirement for greenhouse gases from waste-derived feedstocks and from non-waste biogenic feedstocks derived from sustainable forest or agricultural practices. The EPA anticipates providing additional guidance to sources undergoing BACT analysis involving biogenic feedstocks.

[1] The revised draft Framework and SAB peer review request memo can be found at: http://epa.gov/climatechange/ghgemissions/biogenic-emissions.html.

This approach is consistent with the goal in the President's Climate Action Plan to reduce greenhouse gases and promote climate resiliency of forests. We appreciate your thoughts as we move forward with the framework and will, as you suggest, work closely with the United States Department of Agriculture.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or (202) 564-2806.

Sincerely,

Janet G. McCabe
Acting Assistant Administrator

Enclosure

AL-15-000-0421

Congress of the United States
Washington, DC 20515

August 18, 2014

Dear Administrator McCarthy,

The Agricultural Worker Protection Standard (WPS) is the primary set of federal regulations that seeks to protect farmworkers from the hazards of working with pesticides. The current regulations are not effective in preventing workers' exposures to toxic chemicals in the fields. Over a decade ago, the EPA stated that even when there is full compliance with the WPS, "risks to workers still exceed EPA's level of concern."[i] Although the EPA has not made meaningful updates to the WPS since 1992, we applaud the Agency for proposing improvements for workers, including more frequent and thorough training, emergency assistance and establishing restricting entry zones around recently-sprayed areas. However, serious flaws remain that perpetuate inequity and continue to leave the men, women, and children who produce our food less protected than other workers.

Every year, an estimated 1.1 billion pounds of pesticides are applied to agricultural crops in the United States.[ii] According to the EPA, ten to twenty thousand farmworkers suffer pesticide poisoning annually.[iii] Exposure to pesticides increases the risk of chronic health problems among adult and child farmworkers, such as cancer, infertility, neurological disorders, and respiratory conditions.[iv] There are approximately 500,000 child farmworkers in the U.S.,[v] farmworker children face increased risks of cancer and birth defects.[vi] Research also shows that both farmworkers and their children may suffer decreased intellectual functioning from even low levels of exposure to organophosphate insecticides, which are widely used in agriculture.[vii] To promote the health of rural communities and those who harvest the food for our constituents' tables, strong protections from pesticide exposure are urgently needed.

To prevent occupational illness and exposure from pesticides and provide effective protection for farmworkers, the revised WPS should include the following essential safeguards:

1. Parity with other workers

Due to an aberration in federal law, farm workers' are not safeguarded by OSHA for pesticide exposure. Instead, EPA is supposed to protect farm workers from pesticides. Under the WPS, even with the proposed updates, farm workers' protections are inferior to other workers' protections on matters such as personal protective equipment, the right to know about workplace chemicals, safety training, and emergency assistance. EPA has the authority and moral responsibility to correct this inequity for predominantly poor and minority farm workers.

2. Protect children from high-exposure work

Although federal rules applicable to other industries set the minimum age for high-hazard work at 18, EPA has proposed a minimum age of 16 to work as a pesticide "handler" (someone who sprays, mixes or loads pesticides). The proposal would also allow minors to enter treated fields shortly after spraying, despite high exposure risks. EPA should not allow children to endure high-exposure work in order to satisfy demands for cheaper child labor. Eighteen should be the minimum age for undertaking such high-exposure activities.

3. Retain direct worker access to pesticide application information

EPA is proposing to eliminate one of the most effective ways for workers to protect themselves from pesticide exposures -- the requirement that growers centrally post records of recent pesticide applications. Instead, EPA proposes that workers can obtain this information from their employers "upon request." Farm workers are

often afraid to request this kind of information because they don't want to be labeled as troublemakers. EPA should retain central posting and, if it does not think this mode of communication is sufficient, it should supplement it with additional ways for workers to obtain this critical information.

4. Anti-retaliation protections

Farm workers are afraid to report pesticide violations because they fear the loss of their jobs or other forms of retaliation. EPA only proposes training on retaliation in its proposed rule. EPA should, in consultation with the Department of Labor's Office of Whistleblower Protection, broaden the scope of protected activity under the EPA's existing anti-retaliation rule so that farmworkers can receive similar protections, due process and remedies that are enjoyed under whistleblower statutes covering workers under other statutes administered by the EPA.

5. Protect workers in emergency situations

EPA is proposing to require employers to transport workers to a medical facility within 30 minutes of learning of a pesticide exposure. While this is a step in the right direction, emergency assistance should be immediate.

6. Protect workers from pesticide drift

Pesticide drift due to sprayer's error, wind, and volatilization is a common source of farm worker exposure to pesticides. EPA proposes to address this danger by restricting entry into fields adjacent to treated areas. But, as proposed, these protections apply only to fields on the farm that was sprayed. This safeguard should extend to workers in harm's way who work at a neighboring establishment. Currently, federal and state laws provide substantial buffer zones to protect vineyards, greenhouses and salmon habitat from pesticide drift. Effective buffer zones are needed for farm workers as well.

7. Protect workers who handle neurotoxic chemicals

The EPA considered, but does not propose, medical monitoring for workers who handle neurotoxic pesticides. California and Washington State have longstanding monitoring programs that have been effective in reducing exposure to, and illnesses from, neurotoxic pesticides. USDA too requires this protection for employees exposed to neurotoxic pesticides. OSHA requires medical monitoring for workers who handle a wide range of toxic substances. Medical monitoring should be included in the WPS; farm workers who handle these dangerous neurotoxins deserve no less.

These changes to the WPS provide the EPA with a timely opportunity to meaningfully protect a vulnerable segment of our workforce and to reject any efforts to undermine fundamental yet long overdue safeguards. We urge you to expeditiously finalize these revisions during fiscal year 2014 and implement these needed changes as soon as possible thereafter.

Sincerely,

Raúl M. Grijalva
Member of Congress

Linda Sánchez
Member of Congress

Gloria Negrete Mcleod
Member of Congress

Karen Bass
Member of Congress

Earl Blumenauer
Member of Congress

Suzanne Bonamici
Member of Congress

Corrine Brown
Member of Congress

Julia Brownley
Member of Congress

Tony Cárdenas
Member of Congress

Matt Cartwright
Member of Congress

Judy Chu
Member of Congress

David N. Cicilline
Member of Congress

Yvette D. Clarke
Member of Congress

Steve Cohen
Member of Congress

Gerald E. Connolly
Member of Congress

John Conyers Jr
Member of Congress

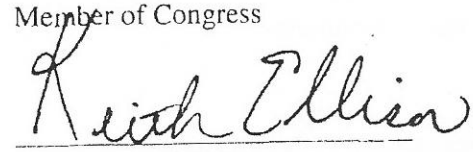
Susan A. Davis
Member of Congress

Peter A. DeFazio
Member of Congress

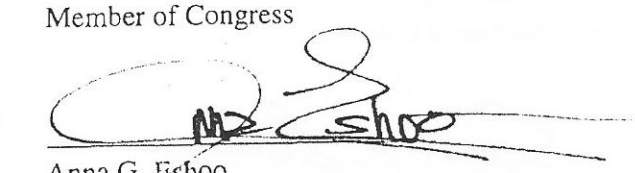
Rosa L. DeLauro
Member of Congress

Theodore E. Deutch
Member of Congress

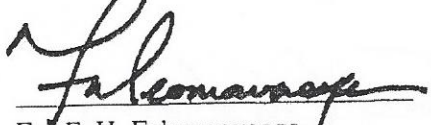
Lloyd Doggett
Member of Congress



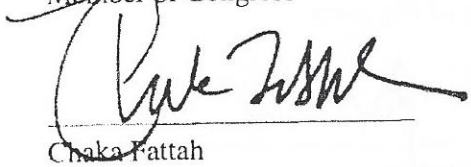
Keith Ellison
Member of Congress



Anna G. Eshoo
Member of Congress

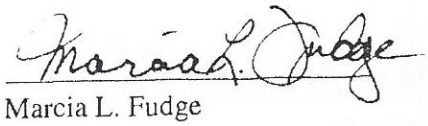


Eni F. H. Faleomavaega
Member of Congress

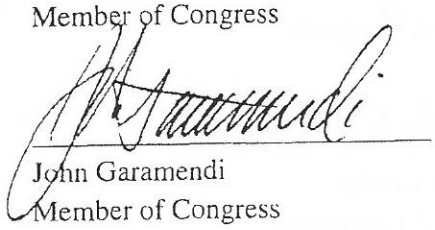


Chaka Fattah
Member of Congress

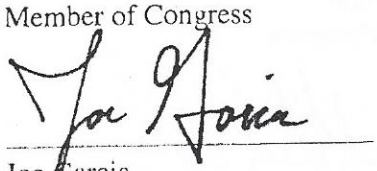
Lois Frankel
Member of Congress



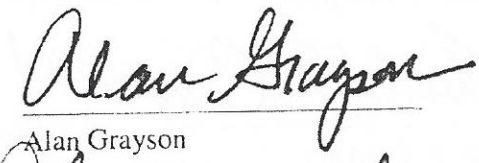
Marcia L. Fudge
Member of Congress



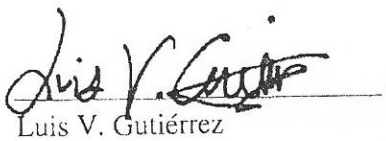
John Garamendi
Member of Congress



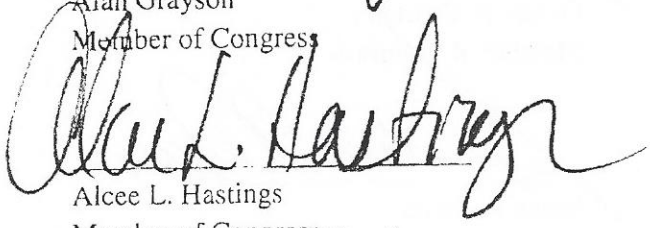
Joe Garcia
Member of Congress



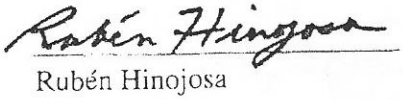
Alan Grayson
Member of Congress



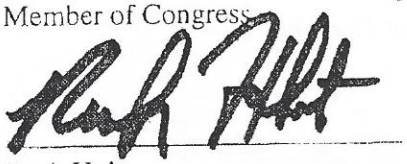
Luis V. Gutiérrez
Member of Congress



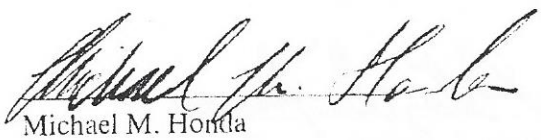
Alcee L. Hastings
Member of Congress



Rubén Hinojosa
Member of Congress



Rush Holt
Member of Congress



Michael M. Honda
Member of Congress

Sheila Jackson Lee
Member of Congress

Hakeem S. Jeffries
Member of Congress

Henry C. "Hank" Johnson
Member of Congress

Marcy Kaptur
Member of Congress

James R. Langevin
Member of Congress

Barbara Lee
Member of Congress

Zoe Lofgren
Member of Congress

Alan S. Lowenthal
Member of Congress

Doris O. Matsui
Member of Congress

Betty McCollum
Member of Congress

Jim McDermott
Member of Congress

James P. McGovern
Member of Congress

Grace Meng
Member of Congress

George Miller
Member of Congress

Jim Moran
Member of Congress

Jerrold Nadler
Member of Congress

Grace F. Napolitano
Member of Congress

Eleanor Holmes Norton
Member of Congress

Mike Quigley
Member of Congress

Charles B. Rangel
Member of Congress

Lucille Roybal-Allard
Member of Congress

Raul Ruiz
Member of Congress

Loretta Sanchez
Member of Congress

Janice D. Schakowsky
Member of Congress

Adam B. Schiff
Member of Congress

Robert C. "Bobby" Scott
Member of Congress

José E. Serrano
Member of Congress

Carol Shea-Porter
Member of Congress

Louise Slaughter
Member of Congress

Mark Takano
Member of Congress

Paul D. Tonko
Member of Congress

Juan Vargas
Member of Congress

Filemon Vela
Member of Congress

Debbie Wasserman Shultz
Member of Congress

Maxine Waters
Member of Congress

Frederica S. Wilson
Member of Congress

CC:

Thomas E. Perez, Secretary, U.S. Department of Labor
David Michaels, Assistant Secretary of Labor for Occupational Safety and Health, U.S. DOL
Jim Jones, Assistant Administrator, Office of Chemical Safety and Pollution Prevention, U.S. EPA
Louise P. Wise, Acting Asst. Administrator, OCSPP, U.S. EPA
Jack Housenger, Director, Office of Pesticide Programs (OPP), U.S. EPA
Kathy Davis, Field and External Affairs Division, Office of Pesticide Programs, U.S. EPA
Kevin Keaney, Pesticide Worker Safety Programs, U.S. EPA
Joel C. Beauvais, Associate Administrator for Policy, U.S. EPA
Khesha Reed, Acting Director, Office of Children's Health Protection, U.S. EPA
Matthew Tejada, Director, Office of Environmental Justice, U.S. EPA
Velveta Golightly-Howell, Acting Director, Office of Civil Rights, U.S. EPA
Cecilia Munoz, Director, White House Domestic Policy Council
Michael Boots, Acting Chair, White House Council on Environmental Quality

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[i] See U.S. Environmental Protection Agency. (2000, Sept. 29). Pesticide Registration Notice 2000-9, p.3. Retrieved from http://www.epa.gov/PR_Notices/pr2000-9.pdf

[ii] See U.S. EPA. 2011. Pesticides Industry Sales and Usage 2006 and 2007 Market Estimates. http://www.epa.gov/opp00001/pestsales /

[iii] See U.S. EPA. (1992). Regulatory impact analysis of Worker Protection Standard for agricultural pesticides. Washington, DC: U.S. Environmental Protection Agency, Office of Pesticide Programs.

[iv] See Sanborn, M., Cole, D., Kerr, K., Vakil, C., Sanin, L.H., & Bassil, K. (2004). Pesticides literature review. Retrieved from http://www.bvsde.paho.org/bvstox/fulltext/rpesticides.pdf.

[v] See Association of Farmworker Opportunity Programs. (2007). Children in the Fields, An American Problem. Retrieved from http://afop.org/wp-content/uploads/2010/07/Children-in-the-Fields-Report-2007.pdf.

[vi] See Sanborn, M., Cole, D., Kerr, K., Vakil, C., Sanin, L.H., & Bassil, K. (2004). Pesticides literature review. Retrieved from http://www.bvsde.paho.org/bvstox/fulltext/rpesticides.pdf.

[vii] See Environmental Health Perspectives. (2006, June). Studying Health Outcomes in Farmworker Populations Exposed to Pesticides. P 953-960. Retrieved from http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1480483/.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 17 2014

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

The Honorable Raúl M. Grijalva
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Grijalva:

Thank you for your August 18, 2014, letter to the U.S. Environmental Protection Agency Administrator Gina McCarthy recommending changes to the agency's proposed revision of the agricultural Worker Protection Standard (40 CFR 170).

The EPA shares your concern with protecting farmworkers from potential exposure to pesticides and pesticide residues. The EPA's proposed revised Worker Protection Standard is intended to increase protections from pesticide exposure for the nation's two million agricultural workers and their families. These proposed changes also reflect more than a decade of extensive stakeholder input by federal and state partners and from across the agricultural community.

Your comments are important to us and will help us determine the final version of this regulation. Your comments have been added to the public docket and will be fully considered as part of our public comment period. We received almost 2,300 individual submissions, representing over 119,000 individuals. The final regulation is scheduled to publish in the spring of 2015.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Mr. Sven-Erik Kaiser in the EPA's Office of Congressional and Intergovernmental Relations at kaiser.sven-erik@epa.gov or (202) 566-2753.

Sincerely,

James J. Jones
Assistant Administrator